



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

RESPONSIBLE LEADERSHIP AND RESPONSIBLE CRITICISM¹

BY FREDERICK CLEVELAND

Secretary, Industrial Service and Equipment Company, Boston

THE permanent good humanity will get from this war will not be a victory of democracy over Prussianism; but a victory of democracy over its own weakness. Prussian "Kultur," like the pneumo-coccus, is dangerous only because its victims are not fit. Democracy has been slack—we may even say slovenly—in its institutional habits. What gives to this war on Prussianism its greatest import is not alone the fact that we must at once so order our lives and adapt our institutions that we may be strong enough to resist attack, but that before we can become strong we must find out the cause of our weakness.

In this quest we may easily be misled. For example: During the last three or four weeks the daily press has carried as news an attack made by ex-President Roosevelt on the Wilson administration. What is featured by Mr. Roosevelt is an alleged attempt on the part of President Wilson, through Mr. Burleson and others, to muzzle the press. These are some of the headlines:

"T. R. Says Administration is Trying to Cover Its Own Weakness."

"Wilson Stifles Honest Criticism."

"Administration Has Used Its Power to Stifle Publicity."

"Constitutional Right of Free Press Denied."

In this colloquy two charges are made: First, that the administration has been weak—that there has been confusion and waste at a time when every ounce of man-power and material resource is needed to win the war. Second, that the President, under the claim of need to exercise military censorship, is using the same methods of repression and control over the press that is practiced by the Prussians.

An appeal is made by Mr. Roosevelt to the underlying ideals of democracy. The assumption which lies back of his criticism is that our executive leadership shall be strong; that the govern-

¹ Read at the National Conference on War Economy, June 5, 1918.

ment shall not be wasteful; that the executive and his cabinet shall be held to strict account before the public for his every act and proposal. But Mr. Roosevelt's criticism is personal. The idea conveyed to the public is that in his opinion such weakness and waste as has obtained in handling the work of this great war has been due to the personnel of those running the government, and that now it is trying to cover up its own shortcomings.

The significant fact is this: that the one thing this "made-in-Germany" war is doing and will continue to do is to help us to see that in our institution building we have done violence to the very ideals to which Mr. Roosevelt appeals.

To show that our essential weakness is institutional let us remove ourselves from the realm of personal controversy. Let us go back to the Spanish-American War, when Mr. Roosevelt was in authority, first as Assistant Secretary of the Navy, later as a military commander giving orders at the front. At that time there was the same confusion and waste in raising and equipping a small army of 200,000 men that there has been during the last year in raising an army ten times as large.

To appreciate what happened at that time, let us read from one of the most matter-of-fact, painstaking writers of history. Showing the embarrassment under which the McKinley administration labored, Sargent says:

Nearly everything had to be created; clothing, tentage, wagons, ambulances, arms—in fact everything in the way of uniform and equipment—had to be contracted for or manufactured. . . . Wagons, ambulances and horses could not be purchased immediately in sufficient number; great difficulty was experienced in obtaining sufficient canvas to supply the army with tents; and no khaki cloth for uniforms was to be had in the United States. All this resulted, of course, in great inconvenience to the troops. The volunteers had to accept an inferior rifle with black powder; a number of regiments could obtain no tents; the entire army was short of transportation; and many soldiers had to go to the tropics and fight in winter clothing.

The confusion in leadership was appalling—and what is more, profiteering had a suggestion of venality that today is almost wholly lacking. There was more of the spirit of gang loyalty and less of the spirit of individual devotion to a great national cause. There was more of the confusion and waste and wantonness of the Civil War. But this confusion of leadership and administra-

tion was not to be charged to lack of quality in President McKinley—not even to Mark Hanna.

Consider the kind of leadership we then had. On the supply side of the military establishment there were twelve different bureaus or offices, which had been created—not by the president as the responsible institutional military leader for his assistance and guidance—but established by Congress. Congress using its legislative powers had violated the spirit of the Constitution, which makes the president, as commander-in-chief of the army and navy, responsible to the people. And it set up against the president a bureaucratic feudalism; one lord was given jurisdiction over the buying and making of guns and ammunition—responsible to a committee of Congress; another over buying or making clothing and equipage and providing quarters—responsible to a committee of Congress; another bought food—responsible to a committee of Congress; another bought and dispensed medicine—responsible to a committee of Congress; and so on through the entire list.

These functionalized, bureaucratic, feudal lords did not look to their titular superior, the leader chosen by and responsible to the nation, for powers and policies. They looked to irresponsible committees. And because of the independence which was thus given, each chief built around himself a bureaucratic wall that even the constitutional chief executive himself could not get over or break through without wrecking limitations and provisos that had grown up in statute books as thick as moss on the shady side of a moat. In violation of the spirit of the Constitution, and of every ideal of democracy, Congress had taken upon itself control over each bureau of the administration. It had taken the initiative and the leadership that belonged to the executive in any scheme of responsible government and divided it among over a hundred different standing committees which, sitting behind closed doors, became both the real Congress and the real head of the administration. This was the institutional provision for leadership that existed at the time of the Spanish-American War. And it still existed when we entered into this war against Prussianism—not alone in the national government, but in most of our state governments as well.

That we got out of the Spanish-American War without enormous sacrifice of blood and treasure, and loss of our national

prestige, is due to the fact that a much less effective, moribund leadership had grown up in autocratic Spain. Consider what might have happened to Shafter's 17,000 men if the Spanish army of 196,000 men then in Cuba, more than twelve to one of the American forces landed, had been under the direction of a Foch, a Haig, or a Hindenburg. Shafter debarked his army without opposition, his only loss, caused by accident, being two men and a few mules, and the only difficulty experienced being his lack of debarkation facilities. So destitute was the army of means of landing that it was necessary to throw the mules and horses overboard and make them swim for shore. Although there had been ample time and opportunity for the Spanish generals to have brought their army into action between the 22d of June and the 1st of July, Spanish records show that they had only 9,000 in the vicinity of Santiago. The Spanish soldier proved a good fighter, but he lacked leadership. If he had had good leadership it is thought that it would have taken not less than a half million men and possibly two years to reduce the Island of Cuba. Judged by results at the Battle of El Caney, this seems a conservative estimate. The only reason for our early success in the Spanish-American War was that the enemy was worse off for leadership than we were. Victory came to us by default. But we can look forward to no defaults under Prussian leadership.

Let us follow the Spanish-American War experience a little further, for it is helpful. Let us follow it into the administration of Mr. Roosevelt, who saw and felt the lack of unity of direction and control. As illustrative, let us consider the futility of Mr. Roosevelt's effort to put unity of direction and control into the military establishment—due to a popular appreciation of the need. The enormous cost of the Cuban campaign, short though it was, the confusion and waste on every side, was the reason urged by Mr. Root in 1903 for organizing the General Staff.

Yielding to this influence, an Act of Congress was placed on the statute books. This did not break down bureaucratic walls. Even with Mr. Roosevelt as constitutional commander-in-chief and Mr. Root as secretary of war, these old bureaucratic, feudal monopolies were protected by Congress as true representatives of our old *laissez faire* philosophy of government. These were so firmly intrenched that it took fifteen years and then several months of confusion in preparation for a war which left no doubt

in the minds of the people and their representatives that the military powers must be placed under strong, centralized leadership, before the General Staff was permitted to function effectively.

Mr. Taft felt the same handicap, and through his entire administration he endeavored to have the principal of executive leadership accepted in matters of administration and finance—making the representative body a court of inquest, with powers to enforce its conclusions through its constitutional right to control the purse. The futility of this effort is shown in the treatment accorded to his recommendation of an executive budget procedure. The idea was featured in the press and favored editorially. Only two newspapers opposed it. In a referendum taken by the Chamber of Commerce of the United States, only one trade body voted against it. But what was not seen or understood was that although it would require no constitutional change, as was set forth by the President in his message, it would require a complete change of procedure. Instead of having the machinery of Congress so geared up that the initiative in matters of administration and finance could be divided among over a hundred irresponsible committees, it must come from a responsible executive, the administration itself—leaving Congress free to review, criticize, discuss and finally to approve or disapprove the acts and proposals of those whose duty it was to render public service. Mr. Taft proposed that the president and the cabinet should take the initiative and then stand the test of open public questioning, criticism, and discussion before Congress, thereby making the president and his cabinet responsible for every measure which they considered essential to the adjustment of the working machine. This done, Congress would be free to hold the executive to account.

Since this was a frontal attack on the system of "government-by-congressional-committee," and the entrenched bureaucratic autocracy that had grown up under it (a system that had been inducted with the consent and approval of the people for the purpose of making the executive weak), Congress assumed that the country would not support the proposition to give the initiative to the cabinet, while Congress made it responsible through their power to control the purse. The Constitution admitted of such a practice. But opposed to it was more potent habit—a habit which could not be changed without a mandate from the people.

The recommendations of President Taft for the introduction of an executive budget procedure were received by members of Congress with an air of patronizing superiority. When President Taft showed the seriousness of his purpose by issuing an order to the members of his cabinet to prepare such a budget, a clause was injected as a "rider" on a deferred appropriation bill passed in August 1912, the intention of which was to prohibit it. This "rider" was slipped into the bill in the committee room, and so deftly was it done that few members of Congress knew that they were voting for a proposal aimed to prevent the president from doing what he claimed to have a constitutional right to do.

President Taft, however, did not falter. He issued a letter to Mr. McVeagh, as Secretary of the Treasury, stating that this rider could have no force as against the constitutional right of the president. Then he asked the cabinet to proceed to make a budget as requested. After various interferences and delays, due to the attitude taken by congressional committees, a budget was submitted. It was promptly consigned to a pigeon-hole in the thought that it would be lost sight of. It was published, however, at the expense of the president's appropriation, and has been at work every day since—out in the back country among the people. So firmly has it taken hold on the minds of thinking men that it promptly became an issue in every state in the Union, over forty of them having passed laws relating to it. Furthermore, in the last presidential campaign, it found expression in the platform of each of the leading political parties.

In all these laws, however, this thought has failed to take hold: that a budget is only a procedure for holding an executive responsible by forcing him to come forward, tell what he has done and for what he asks support in the future; that there can be no such thing as a budget so long as the initiative in matters of finance and administration is in one or more legislative committees. All that the people can hope to get is a committee report, after practically all the decisions have been made, with little or no opportunity given for inquiry, criticism and discussion which will reach the people. What is called a "legislative budget," as has been shown in the state of New York, is simply a more orderly way of conducting "invisible government."

President Taft strongly urged also that the executive be permitted so to organize the administrative offices and bureaus as to

enable him to discharge his responsibility to the public—to carry on the business of the government with a minimum of waste. But it was not until the life of the nation hung in the balance, and every human and material resource was plainly needful to turn the scales in its favor, that the idea that national economy and governmental efficiency were desirable began to be taken seriously.

Mr. Wilson has done much to prepare the way for responsible leadership. He was one of the first American writers to point to the fact that practically all initiative had been taken over by standing committees of Congress, thereby leaving the executive a negative force. As governor of New Jersey he stood for executive leadership. When he became president he upset the traditions of a hundred years by appearing personally before Congress to discharge his constitutional duty of addressing them on the state of the Union. And when it became apparent that the committee system must be abolished to enable the executive to give unity of direction to the many commissions, bureaus and offices which were required to co-operate in the prosecution of the war, he assumed personal responsibility for the Overman Bill giving to the president the power to reorganize the machinery of administration.

This power was finally given, as a war necessity. The bill was passed. But note the reservation. It was passed with an apology and a promise that after the war is over Congress will again take the initiative out of the hands of the executive and replace it in the hands of a hundred or more irresponsible committees of the representative branch. With all the appeals which have been made to the public, with all that has been said about the necessity for national economy, there are still Americans who insist that inefficiency and waste are the price to be paid for democracy—that we must choose between this and autocracy. If this conclusion is accepted as a principle for future action, the days of American democracy are numbered. That weakness and waste are not essentials of democracy, France has amply proved. France has proved that democracy can be strong. Great Britain has proved that popular control over political leadership is not incompatible with strength.

This brings us to our second point of institutional weakness. Strong, responsible leadership, as a means of developing an efficient public service, is not the only part of the mechanics of

democracy to which attention should be given in this time of war stress. Wastefulness is not necessarily a fatal national vice. Except when confronted by threatened invasion, we may still be slothful and survive. We may even continue to feel superior about it so long as brave France and efficient Japan stand as buffers on either side of us against the spread of Prussian aggression by land, and Great Britain spreads its protecting wings over the seas. What must prove our fatal institutional weakness, unless it is overcome, is irresponsible criticism and publicity.

When Congress gave over to its committees the initiative in matters of finance and administration, it unfitted itself to act as an independent forum. It introduced what has come to be known as invisible government—leaving to the people only irresponsible agencies through which to keep informed. Unless we provide the means whereby public opinion may have accurate knowledge of the facts and conditions which must be taken into account in determining whether one measure or another, or one leader or another, shall be supported; unless the electorate, as a jury before whom public administrations are tried, can act on evidence instead of mere allegation and persiflage, on material facts instead of demagogical appeals to prejudice and popular passion—our democracy will rest on no firmer a foundation than does the democracy of Russia.

We do not impugn the high moral purpose of the Bolsheviks. We do question their intelligence. What has wrecked the machinery of administration in the hands of Russian democracy was not its own weakness and wastefulness; nor was it lack of means for making its leadership responsible. Russian democracy failed because it failed to develop a procedure which would insure to the people and their leaders political justice, with the result that the enemies of the state, the enemies of democracy, by processes of cunning and cant, used the right of free speech and free press, so long denied, to poison the streams of public thought. It was irresponsible criticism and publicity that first undermined confidence in the public service—inciting acts of violence which operated to destroy the only instruments the people had, either to protect themselves against Prussianism or to conserve their own welfare.

Democracy has stood for justice, a justice which rests its judgments on commonly accepted standards of morality. With a voice

of protest it has stood against the acts of autocracy when these acts have violated individual rights. It was in behalf of private justice that its voice was first heard. Five hundred years ago it was heard in England, and first King John and then King Henry was forced to sign a pact that "No free man shall be taken or imprisoned, or disseized of his freehold, or his liberties, or his free customs, or outlawed, or exiled, or anyways destroyed, nor will we go upon him nor will we send upon him, unless by the lawful judgment of his peers." The first charter of liberty in America, the old charter of 1641 of Massachusetts, provided that "no man's life shall be taken away, no man's honor or good name, shall be stayned" unless by due process of law. The Declaration of Independence gave as one of the reasons for revolution, "depriving us in many cases of the benefits of trial by jury." Approval of our federal Constitution was withheld until assurance was given that in a Bill of Rights would be added:

In all criminal prosecutions the accused shall enjoy the right of a speedy and public trial by an impartial jury, and be informed of the nature and cause of the accusation; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.

Since the days of Magna Charta one of the most sacred things in the upbuilding of institutions for private justice has been a procedure which will insure to the defendant party and to the people, through a representative jury, that judgments rest on fact and not on assumption of power. The underlying purpose of creating a representative branch of the government was to give to the people and their servants the right of inquest and trial in all controversies having to do with matters of common welfare. But in our intense individualism we have overlooked that fact that we are quite as much interested in political justice as we are in private justice; that democratic government must work through human agencies; that the life of the state depends on the powers of its leaders to organize; and that powers of leaders depend on the continued confidence and good will in which the people hold them.

When an accusation is made that a public officer has been inefficient in management of a public trust, and wasteful of public funds, this is quite as much to be considered a charge of "infamous" crime against democracy and against the state as information and complaint of injury to private property. The state

is quite as much interested in any act or proposal of an authorized executive which bears on a matter of public policy as it is in the properties or interests of individuals. If a person accused of doing injury to life or property is entitled to the protection of "indictment by a grand jury," "the right of speedy and public trial by an impartial jury," "the right to be informed of the nature and cause of the accusation," "to have compulsory process in his favor," and "to have the assistance of counsel" before he can be marked by the public press for popular disfavor and penal discipline, even greater is the need for a procedure which will give to the people and their servants protection from false accusations of the designing and the selfish.

It was the fair intent of our Constitution that the representative branch should be a court of political justice. Massachusetts still calls her representative branch her general court. What we have lacked is not an agency of political justice, but a procedure which will keep the representative body as a grand jury from becoming a party in interest. By permitting Congress to take the initiative we have consented to making it unfit. We have deprived ourselves of the means of independent inquiry with the benefits of counsel. This, and a public consciousness that when accusation is made against a public officer the life of the state and its material interests are being threatened, lie at the foundation of democratic control. Any charge made against persons chosen for positions of public trust is a matter which should be brought before a responsible tribunal. This is not a matter to be bandied about by scandal-mongers and irresponsible persons, and given currency under assumptions of constitutional guarantees of the right of "free speech and free press."

When we have adequate means for inquiry, discussion, criticism and publicity in a duly constituted court of political inquest, before the bar of which those who are responsible for executive leadership are required to come and give a full account of themselves; when this court has the power to enforce its judgments by control over the purse, subject only to an appeal to the electorate, we need not fear. Without such a court of political justice, "free speech" and "free press" may be quite as much a menace as a means of protecting our liberties. In fact, no one can be free who is at once ignorant and unjust. Under our present institutions we have no way of knowing whether our information comes from a "free press" or is only an "equity of re-

demption" that is speaking to us through editorial and news columns.

To make this point quite clear, let us picture Mr. Wilson, through his cabinet, exercising the powers recently given under the Overman Act, reorganizing our national bureaucracy so that we may develop the full strength of our manhood and the most economic use of our great national resources for winning the war. This will necessarily take time, but he makes a vigorous beginning—and December next he comes before Congress for more money.

Let us picture Congress doing its part as a court of inquest, a jury made up of representatives of the people. As such they organize, so that they may find out whether Mr. Wilson's cabinet is composed of men who are to be trusted as executives in this great emergency. They organize by appointing an auditor-general with an adequate critical staff, to review, approve or disapprove each business act of the administration currently; and to report independently to Congress. They create a joint recess committee on finance and administration, whose membership is made up of the most competent critics in matters of this kind, and whose chairman is selected by those who do not agree with Mr. Wilson in matters of policy—the opposition. Senator Chamberlain heads the committee, which proceeds at once to prepare for the next session. Then Congress adopts a procedure which requires that the budget and all other measures proposed by the president and his cabinet shall first be taken up in a joint Committee of the Whole with the cabinet present to explain, discuss and defend. In order that there shall be a real trial, a real inquest, in order that fullest discussion and publicity be given under constitutional guarantees of "free speech" and "free press," they provide that the opposition may be permitted to select special counsel for leadership in the Committee of the Whole, in addition to the regular party whip. To persons selected as counsel are given such powers before the committee as will enable them to manage the case of the opposition against the administration before the Committee of the Whole sitting as a jury.

The cabinet has been preparing its case for weeks before Congress meets and the request for more funds is made. The members of the cabinet have kept in touch with what has been going on—having in mind that they will be called before the bar of the House. They have met together and in confidence decided what

"the Administration" will stand for as a matter of public policy. They have organized their leadership, both in the cabinet and on the floor. They are ready to explain and defend every act and proposal.

The opposition is also ready. The recess Committee on Financial Administration under opposition leadership, with power to subpoena witnesses and documents, assisted by the auditor general's staff organization, has become familiar with every act, with each item in the bill of particulars before it, and with the methods used by the administration in estimating future needs. It has prepared a report on aircraft construction; on ship-building; on purchasing equipment and supplies. Opposition leaders have become familiar with this and with the report of the auditor general.

Congress meets, and the opposition select Mr. Roosevelt, Mr. Taft and Mr. Hughes as special counsel. Two or three weeks are given to counsel for the opposition to study their case and arrange the strategy of the inquest, so as to bring out every fact and reason opposed to the plan of finance as proposed. They are also given a chance to request the preparation of any further statements of fact needed by the opposition.

The day of trial comes; the press tables are crowded; the galleries are full; Mr. McAdoo presents the application for funds in a budget speech. After he has finished, Mr. Roosevelt rises and interposes a demurrer—he moves "that the committee rise and report against the application of the administration for more funds." He argues "that this action be taken without going into their plans for the future in detail, for the reason that the cabinet cannot be trusted; that it has been weak and wasteful in time of great national stress; and that it is now trying to muzzle the press to cover up its mistakes of omission and commission."

The effect of this procedure on the country is electric. In case the motion prevails, there will be no other recourse than for President Wilson to reorganize his cabinet—to appoint persons who together will command the support of a majority. The proceedings of Congress at once have a news value as great as a cable from Pershing of a threatened break in the Western front; and the public is not reduced to reading the attacks of irresponsible persons on the administration.

If, after the hearing on Mr. Roosevelt's motion, it is denied, then follows the review and consideration of the administration

program. The budget is taken up line by line, and an informal vote is taken on each department. This new organization and procedure puts an end to "invisible government." It puts an end to irresponsible criticism and publicity. It enables the executive to develop strong leadership, and through giving to the people and their representatives the benefit of inquest, criticism and decision by a responsible representative deliberative body it makes strong leadership subservient to the will of a majority.

This is a popular rendition of what happened in 1866, when Mr. Gladstone, responsible for the administration of the affairs of Great Britain, with a view to keeping a majority back of him and protecting himself and his cabinet against irresponsible criticism, obtained the passage of a law by Parliament setting up just such an organization and procedure. His view was that the best way to meet opposition was to force it out into the open; to give it the fullest opportunity to know the facts and to present them in a duly constituted forum of the people.

Every country which has "responsible, visible" government has adopted a procedure for making its representative body a court of inquest for the people. We Americans first weakened our executive, then deprived ourselves of a means of responsible criticism. We violated the principle of separation of powers, by taking the initiative in matters of finance and in matters of administration from the executive and turning it over to Congress. Congress and our state representative bodies, using the same method, have done the natural thing—instead of performing the functions of a court of inquest, they have applied "gag rule." We wittingly deprived our administrations of unity of plan and action. We unwittingly deprived ourselves of the means of responsible inquiry and criticism, thereby making the people distrustful of all our public servants—ready to listen to any person who has the wit to commercialize attacks made on those who have risen to positions of trust and whose names have news value. The more unscrupulous the person making the attack under our system, the greater the personal advantage.

To resist Prussian aggression, democracy must become efficient. There is no way of making an inefficient democracy safe in the world. But democracy can neither be efficient, nor can it protect itself against the autocracy of a misguided public, so long as the good or bad opinion in which the government is held is formed by irresponsible publicity.